

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**June 25, 1998**

**DIVISION TWO**

Court convened at 9:00 A.M.

Present: Boren, P.J., Fukuto, J., Nott, J., Zebrowski, J., and G. Villanueva, Deputy Clerk.

B113374     People  
              v.  
              Gallegos

Merits:

Argued by Sheila Keiter for appellant and Marc Nolan, deputy attorney general, for respondent. Cause submitted.

B111040     Westerfeld  
              v.  
              Hillyer & Irwin

Merits:

Argued by Mark Stevens for appellant and Kendall Dulich for respondent. Cause submitted.

B111396     People  
              v.  
              Belmontez

Merits:

Argued by Thomas Kallay for appellant and Kent Bullard, deputy attorney general, for respondent. Cause submitted.

DIVISION TWO (Continued)

B109689     Collins  
              v.  
              Greenberg

Merits:  
Argued by Bruce Van Dalsem for appellant and James Seal for respondent.  
Cause submitted.

B117148     Lynn Guzey  
              v.  
              Kapp

Merits:  
Argued by Lynn Guzey, in propria persona, and Howard Kapp for  
respondent. Cause submitted.

B115242     Gozum  
              v.  
              Lim

Merits:  
Argued by Garrett Skelly for appellant and Stephen Lowe for respondent.  
Cause submitted.

Mr. Justice Fukuto leaves the bench.

B110711     Quan  
              v.  
              Farmers Group, Inc.

Merits:  
Argued by Jacob Segura for appellant and Marc Poster for respondent.  
Cause submitted.

DIVISION TWO (Continued)

B108910      Calif. Rifle & Pistol Assoc.  
                 v.  
                 City of West Hollywood

Merits:

Argued by Don Kates for appellant and Sayre Weaver for respondent.  
Cause submitted.

Court recessed.

Court reconvened at 1:00 P.M.

Present: Boren, P.J., Fukuto, J., Nott, J., Zebrowski, J., and G. Villanueva, Deputy Clerk.

B110724      People  
                 v.  
                 Williams

Merits:

Argued by Tracy Dressner for appellant and Theresa Cochrane, deputy attorney general, for respondent. Cause submitted.

B120489      Maricela C.  
                 v.  
                 Superior Court, Los Angeles County  
                 Dept. of Children Services, rpi

Merits:

Argued by Thomas Fagam for petitioner and Lois Timnick for real party in interest. Cause submitted.

DIVISION TWO (Continued)

B114703     People  
              v.  
              Smith

Merits:

Argued by Christine Shaver for appellant, and Jennifer Leal, deputy attorney general, for respondent. Cause submitted.

B112130     People  
              v.  
              Serenio

Merits:

Argued by Charlotte Costan for appellant and Alene Games, deputy attorney general, for respondent. Cause submitted.

B119443     Gharibian  
              v.  
              Superior Court, Los Angeles County  
              Verdugo Hills Hosp., rpi

Merits:

Argued by Robert Sack for petitioner and Roxana Huddleston for real party in interest. Cause submitted.

B107544     Arroyo Seco Village  
              v.  
              J. H. Hedrick & Co.

Merits:

Argued by Paul Larsen for appellant and Patricia Dahlgaard for respondent. Cause submitted.

### June 25, 1998-Continued

## DIVISION TWO (Continued)

B114331      Wishard  
v.  
Koulax Enterprises, Inc.  
Renaissance

Merits:

Argued by Gary Dordick for appellant and Tyna Thall Orren and Warren Gilbert for respondents. Cause submitted.

Court adjourned.

B112053      People  
v.  
Celerino Hernandez

Filed order modifying opinion. Petition for rehearing is denied. (Change in judgment.)

## DIVISION THREE

B105275      Huck  
v.  
Trope

Filed order vacating submission order of March 17, 1998. Cause resubmitted as of this day.

## DIVISION FOUR

B108165 Silver (Not for Publication)  
v.  
Senneke et al.

The order of dismissal is reversed. Appellant is to bear her costs on appeal.

Epstein, J.

We concur: Vogel (C.S.), P.J.  
Hastings, J.

## DIVISION FOUR (Continued)

B116401 People (Not for Publication)

V.

Lopez

The Court:

For the foregoing reasons, the sentence imposed in this matter is modified to stay, pursuant to Penal Code section 654, the sentence imposed on count 2, and to reduce the fine to \$10,000. As modified, the judgment is affirmed.

Vogel (C.S.), P.J., Epstein, J., Hastings, J.

B114134 People (Not for Publication)

V.

Coleman S.

The Court:

For the foregoing reasons, this matter is remanded for the limited purpose of determining and recalculating appellant's maximum period of confinement. In all other respects the judgment is affirmed.

Vogel (C.S.), P.J., Epstein, J., Hastings, J.

B112392 People (Not for Publication)

V.

# Gamill

The Court:

The judgment is affirmed.

Vogel (C.S.), P.J., Epstein, J., Hastings, J.

## DIVISION FOUR (Continued)

B107868 People (Not for Publication)

V.  
Flournoy

The Court:

The judgment is affirmed.

Vogel (C.S.), P.J., Epstein, J., Hastings, J.

B108665 People (Not for Publication)

v.  
Wooten

The order of dismissal is reversed, and the matter is remanded with directions to the trial court to comply with Romero. In all other respects, the judgment is affirmed.

Epstein, J.

We concur: Vogel (C.S.), P.J.  
Hastings, J.

B111479 Department of Children & Family Services (Not for Publication)

v.  
Elizabeth and Rod E.

The case is remanded for the trial court to determine whether there was good cause for father's motion to substitute counsel. If there is good cause for the motion, the court is to recommence the proceedings from the time of the motion. If no good cause exists, the court is to reinstitute its order. On all other issues, the dispositional order is affirmed.

Epstein, J.

We concur: Vogel (C.S.), P.J.  
Hastings, J.

June 25, 1998-Continued

## DIVISION FOUR (Continued)

B116809      People                          (Not for Publication)  
v.  
Vos

The judgment is affirmed.

Cooper (F.M.), J. (Assigned)

We concur: Epstein, Acting P.J.  
Hastings, J.

[illegible]

The judgment is affirmed.

Hastings, J.

We concur: Epstein, Acting P.J.  
Cooper (F.M.), J. (Assigned)

B111149      People                         (Not for Publication)  
v.  
Ware

The judgment is affirmed.

Epstein, J.

We concur: Vogel (C.S.), P.J.  
Hastings, J.



DIVISION FOUR (Continued)

B107616	People v. Tirpak	(Not for Publication)
B112864	Tirpak on Habeas Corpus	

The abstract of judgment is corrected to show the proper amount of presentence credits, and as corrected, the judgment is affirmed. Petition for Writ of Habeas Corpus is denied.

Epstein, J.

We concur: Vogel (C.S.), P.J.  
Hastings, J.

B114690	People	(Not for Publication)
	v.	
	Madrigal	

The judgment is affirmed.

Epstein, Acting P.J.

We concur: Hastings, J.  
Cooper (F.M.), J. (Assigned)

B116237	In re Risa F.	(Not for Publication)
	Department of Children & Family Services	
	v.	
	Henry F.	

The order is reversed and the cause remanded for further proceedings in accordance with the views expressed in this opinion.

Epstein, Acting P.J.

We concur: Hastings, J.  
Cooper (F.M.), J. (Assigned)

DIVISION FOUR (Continued)

B121400      Los Angeles County, D.C.S.      (Not for Publication)

v.

Nancy H.

Petition for extraordinary relief is denied.

Cooper (F.M.), J. (Assigned)

We concur:   Epstein, Acting P.J.  
                     Hastings, J.

B111861      People      (Not for Publication)

v.

Perez and Alvarado

The judgments are modified to reduce the armed enhancement, and as modified, they are affirmed.

Epstein, J.

We concur:   Vogel (C.S.), P.J.  
                     Hastings, J.

DIVISION SEVEN

B109001      Dargani

v.

Dot-Line Transportation, Inc.

Filed order denying petition for rehearing.